

State of California  
California Regional Water Quality Control Board  
Colorado River Basin Region

**MINUTES OF BOARD MEETING**

September 17, 2008, 10:00 a.m.  
City Council Chambers  
City of Palm Desert  
73-510 Fred Waring Drive  
Palm Desert, CA 92260

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The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by the Chair Ellen Way at 10:05 a.m. on September 17, 2008 in the City Council Chambers, City of Palm Desert, California.

**Roll Call (Board Members Only)**

**Board Member Present:**

Present: Jon Edney Jeff Hays, Maurice "Red" Martinez, Edward Muzik, Rick Post and Ellen Way. Absent: Tom Davis. The Board Secretary stated that a quorum was present.

**Staff Present:**

Jose Angel, Terry Barnes, Mary Castañeda, John Carmona, Jose Cortez, Kai Dunn, Abdi Haile, Jeff Geraci, Herb Jackson, Theresa Kimsey, Kirk Larkin, Jeong-Hee Lim, Robert Perdue, Cliff Raley, Jon Rokke, Joan Stormo, Doug Wylie, and Nadim Zeywar.

**Others Present:**

Steve Bigley, Coachella Valley Water District  
Garry Forney, Bull Holdings, Inc.  
Ann Iaali, Riverside County Flood Control  
Roger Mayes, Hi-Desert Water District  
Jack McFadd, Coachella Valley Water District  
Terry Thomas, EMA for Hudson Ranch Geothermal LLC  
Tom Vandenberg, Office of the Chief Counsel, SWRCB  
Gian Villarreal, RBF/Caltrans

## **Minutes**

1. Minutes of June 25, 2008 Board Meeting

**MOTION:** Red Martinez moved, Jon Edney seconded, and motion carried unanimously that the Minutes be approved.

## **Public Forum**

2. No public comments.

## **UNCONTESTED WASTE DISCHARGE REQUIREMENTS**

3. HJ      R7-2008-0063      Waste Discharge Requirements for Hudson Ranch Power I LLC Owner Hudson Ranch I Geothermal Development Project Proposed Geothermal Power Plant, Salton Sea Known Geothermal Resource Area (KGRA) – Imperial County

**MOTION:** Jeff Hays moved, Rick Post seconded. The motion carried unanimously that Order No. R7-2008-0063 be adopted.

## **ENFORCEMENT ACTIONS**

- ~~4. DW      R7-2008-0018      Administrative Civil Liability Complaint No. R7-2008-0018 Mandatory Minimum Penalty In The Matter of California Department Of Corrections and Rehabilitation; Centinela State Prison Wastewater Treatment Plant – Imperial County      (Item pulled)~~
- ~~5. DW      R7-2008-0025      Administrative Civil Liability Complaint No. R7-2008-0025 and Mandatory Minimum Penalty In The Matter of Seeley County Water District, Owner/Operator Seeley – Imperial County      (Item pulled)~~
6. DW      R7-2008-0064      Administrative Civil Liability Order No. R7-2008-0064 Mandatory Minimum Penalty and Penalty for Violation of other Waste Discharge Requirements in the Matter of City of Brawley, Owner/Operator Municipal Wastewater Treatment Plant – Imperial County

**MOTION:** Rick Post moved, Red Martinez seconded. The motion was carried unanimously that Administrative Civil Liability Order No. R7-2008-0064 be adopted.

## OTHER BUSINESS

7. Bull Enterprises, Inc., Discharger's request for Revision of Monitoring and Reporting Requirements. Cliff Raley, Regional Board staff, gave a presentation on the status of compliance of the facility and its monitoring requirements. Gary Forney, Bull Enterprises, spoke to the Board about his composting facility near El Centro and concerns regarding the monitoring requirements for his facility which include testing the adjacent canal water. The Board suggested that he meet with staff to discuss revising the monitoring program.
8. Informational Update on:
  - a. Small Communities that may have a financial hardship – SWRCB (**moved to November Board meeting**)
  - b. Discussion of Grants under SRF and for Small Communities – JC

Mr. Carmona began his presentation with an update on the work that the State and Regional Water Board staff are doing to help fund projects within the Region. He mentioned there are 2 funding programs that his Unit works with. One is the State Revolving Fund Program (SRF) and the other is the Small Community Waste Grant Program. Both of these programs help fund construction of publicly-owned wastewater treatment facilities, local sewers, sewer interceptors, water recycling facilities, plus other types of projects. The State Revolving Fund is funded by Federal grants, State funds, and Revenue Bonds. We presently have 15 projects on the SRF priority list. One project proposed to be funded by the SRF is Brawley. The project is to upgrade the existing treatment facilities and support compliance and is estimated at 25 million dollars.

- c. CVSC Bacterial Indicators TMDL, Task Force Monitoring Update – Steve Bigley

Mr. Bigley, an employee with the Coachella Valley Water District, reported on the progress of the monitoring program being conducted by the agricultural community's Task Force that Mr. Bigley is in charge of. He discussed some of the first quarter's sampling results. Monitoring will continue for three more quarters. The Task Force will then prepare a report regarding the sampling results collected and analyzed for review and approval by the Regional Board.

- d. Basin Plan Amendments Update, CVSC Critical Flow, CVSC Bacterial Indicators Amendment to designate E. Coli only, Ag Discharge Prohibitions for Coachella Valley and Bard Valley – Jon Rokke

Mr. Rokke began his presentation by talking about the 6 separate proposed Basin Plan amendments. He then mentions how the Basin Plan staff have been busy holding CEQA Scoping meetings. One of the meetings was attended by Board Members Rick Post and Ed Muzik. Other meetings include: CV Ag and Bard Valley Ag Conditional Prohibition, and TAC for YV Septic Prohibition. Mr. Rokke proceeds to discuss Project Status' on: Bacteria Indicator, Critical Flow, Palo Verde Valley Ag – Conditional Prohibition, and CV and Bard Valley Ag – Conditional Prohibitions.

#### 9. Informational Update on State Water Resources Control Board Activities – TV

Mr. Vandenberg gave a brief update on State Water Board activities over the last month. Topics included: the status of certain water quality bills that were defeated (e.g., Senate Bill 1001 (Perata)); grant and loan fund issues; the status of various State Water Board policies being considered (e.g., Water Recycling Policy—still being revised; NPDES Compliance Schedule Policy—EPA approved); updates on the Strategic Plan (update adopted on 9/2/08), the recent filing of a 60-day notice of intent to sue by the San Francisco Regional Water Board against federal agencies concerning the “mothball fleet” in Suisun Bay (rust/metal water quality issue); the Office of Enforcement success in reducing the MMP backlog through an expedited process; and update on the revised Water Quality Enforcement Policy (still in internal review).

#### 10. Colorado River Basin Water Board Executive Officer's Report – RP

Jose Angel, Assistant Executive Officer, informed the Board about a plane that crashed in Mexico. The plane was carrying the US and Mexican IBWC Commissioners. Robert will prepare a Resolution of Condolence for the Board to sign after the crash has been confirmed.

Robert discusses the budget and how he will attend a Topock Leadership meeting hosted by DTSC and hosting the US EPA.

#### 11. Colorado River Basin Water Board Member Comments

Rick Post attended a CEQA Scoping Meeting for the first time and said it was a good meeting. There will be a Water Quality Coordinating Committee meeting October 27 & 28, 2008 in Sacramento. Ed Muzik, Rick Post, and Ellen Way might attend.

## 12. Colorado River Basin Water Board Chair's Report – EW

Ellen Way congratulates Tom Davis and Ed Muzik's Senate confirmation of their appointments to the Board. She then mentions that the Board meeting in January 2009 will be held in El Centro.

### CLOSED SESSION

13. At any time during the regular session, the Board may adjourn to meet in closed session to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence [Authority: Government Code Section 11126(c)(3)]; to discuss significant exposure to litigation [Authority: Government Code Section 11126(e)(2)(B)(i)]; to discuss whether to initiate litigation [Authority: Government Code Section 11126(e)(2)(C)(i)]; or to discuss initiated litigation [Authority: Government Code Section 11126(e)]. Discussion of litigation is within the attorney-client privilege and may be held in closed session [Authority: Government Code Section 11126(e)(2)].

### Arrangements for Next Board Meeting

Date: November 19, 2008

### Adjournment

The meeting adjourned at 12:00 p.m.